



VOCA VOLUNTEER REQUIREMENT AND WAIVER POLICY

Effective Date: January 17, 2023

I. Policy Background

Of the four funding sources administered by the Department of Health and Human Services (DHHS), Office Child and Family Services (OCFS), Violence Prevention Programs (VPP), only the federal Victims of Crime Act (VOCA) grant program requires funded agencies to use volunteers in order to be eligible for the funds (section 94.113 of the VOCA regulations). Per the VOCA regulations, the state administering agency (SAA), VPP, can waive the volunteer requirement provided the applicant agency submits written documentation of its efforts to recruit and maintain volunteers, or otherwise demonstrates why circumstances prohibit the use of volunteers to the satisfaction of OCFS/VPP.

II. Definitions (If Applicable)

DHHS – Department of Health and Human Services. Department within the State of Maine

OCFS – Office of Child and Family Services. Office assigned by DHHS to administer VOCA.

VPP – Violence Prevention Program. The program within OCFS assigned to administer the federal VOCA grant. Also known as the State Administering Agency (SAA).

VOCA – Victims of Crime Act. Refers to the federal formula grant funds awarded to the State of Maine to be granted to programs that provide services to victims of crime.

III. VOCA Volunteer Requirement

- If an agency uses volunteers as match, then the volunteers must provide VOCA-eligible activities that are consistent with and support the VOCA-funded project. Agency must keep a record of volunteer hours; paid staff should generally not be used as volunteers and no paid staff can volunteer to provide the same or similar services that they are paid to provide. Agencies should review the Fair Labor Standards Act requirements for more information.
- If an agency **does not** use volunteers as match, then the volunteers are not required to provide activities that support the VOCA project specifically. Agency must keep a record of volunteer hours. Paid staff should generally not be used as volunteers and no paid staff can volunteer to provide the same or similar services that they are paid to provide. Agencies should review the Fair Labor Standards Act requirements for more information.

IV. VOCA Volunteer Requirement Waiver

- If an agency cannot meet the volunteer requirement, the agency can request a volunteer waiver from OCFS/VPP by completing the Request for Volunteer Waiver form at the time of application.

It is the belief of OCFS/VPP that most programs are able to meet the volunteer requirement as it can be met in a variety of ways, including using volunteers who provide direct services to crime victims and agencies that have a volunteer come to their agency one time during the grant period to train staff on issues related to crime victims. However, there may be rare instances or unusual circumstances when a waiver of the requirement is necessary.

As stated above, requests to waive the volunteer requirement should be submitted in writing using the Request for Volunteer Waiver form at the time of application. Requests to waive the volunteer requirement will be reviewed by OVP staff who will determine if the program has made adequate efforts to recruit and maintain volunteers or if the program has sufficiently demonstrated why they are unable to use volunteers. Programs will be notified of the decision of their request at the same time that they are notified of their funding decision.

Agencies are not able to request a volunteer waiver during the grant period. If an agency finds, they are struggling to meet the volunteer requirement during the grant period, they should contact their grant program manager.